



Atty. Dkt. No. 069748-0304

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JACKSON et al.

Title: NEISSERIA MENINGITIDIS POLYPEPTIDE, NUCLEIC ACID SEQUENCE AND USES THEREOF

Appl. No.: 10/749,143

Filing Date: 12/29/2003

Examiner: Sarvamangala J N Devi

Art Unit: 1645

Confirmation Number:

3867

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. The documents are already of record in a related U.S. patent (no. 6,756,493) and/or patent applications (nos. 10/840,533 and 10/840,530) that claim priority to the same provisional application (no. 60/098,685, filed Sep. 01, 1998) as does the subject case. Even though all of the cases are related and therefore the Office should be aware of the concurrent prosecution of these cases and the documents cited therein, the references cited are being submitted in the instant case in an abundance of caution.

In the interest of brevity, the office actions *per se* from the related cases are not being submitted with the understanding that the Office has access to the electronic documents. However, any or all of the Office Actions and/or cited references can be made available upon request.

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The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 19, 2007

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